



**US Army Corps
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St. Paul District

Draft Environmental Assessment

CITY OF ANETA WATER AND SEWER IMPROVEMENT PROJECT NELSON COUNTY, NORTH DAKOTA



Draft Environmental Assessment
City of Aneta Water and Sewer Improvement Project

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Draft Environmental Assessment

City of Aneta Water and Sewer Improvement Project

1 Introduction

1.1 Project Location

The City of Aneta (City) is located in Nelson County, North Dakota. The City is located within the eastern part of the state, approximately 45 miles southwest of Grand Forks and 50 miles southeast of Devils Lake. The City is located along Highway 32, 4.5 miles south of North Dakota Highway 15, immediately north of the Nelson County – Griggs County border (Figure 1).

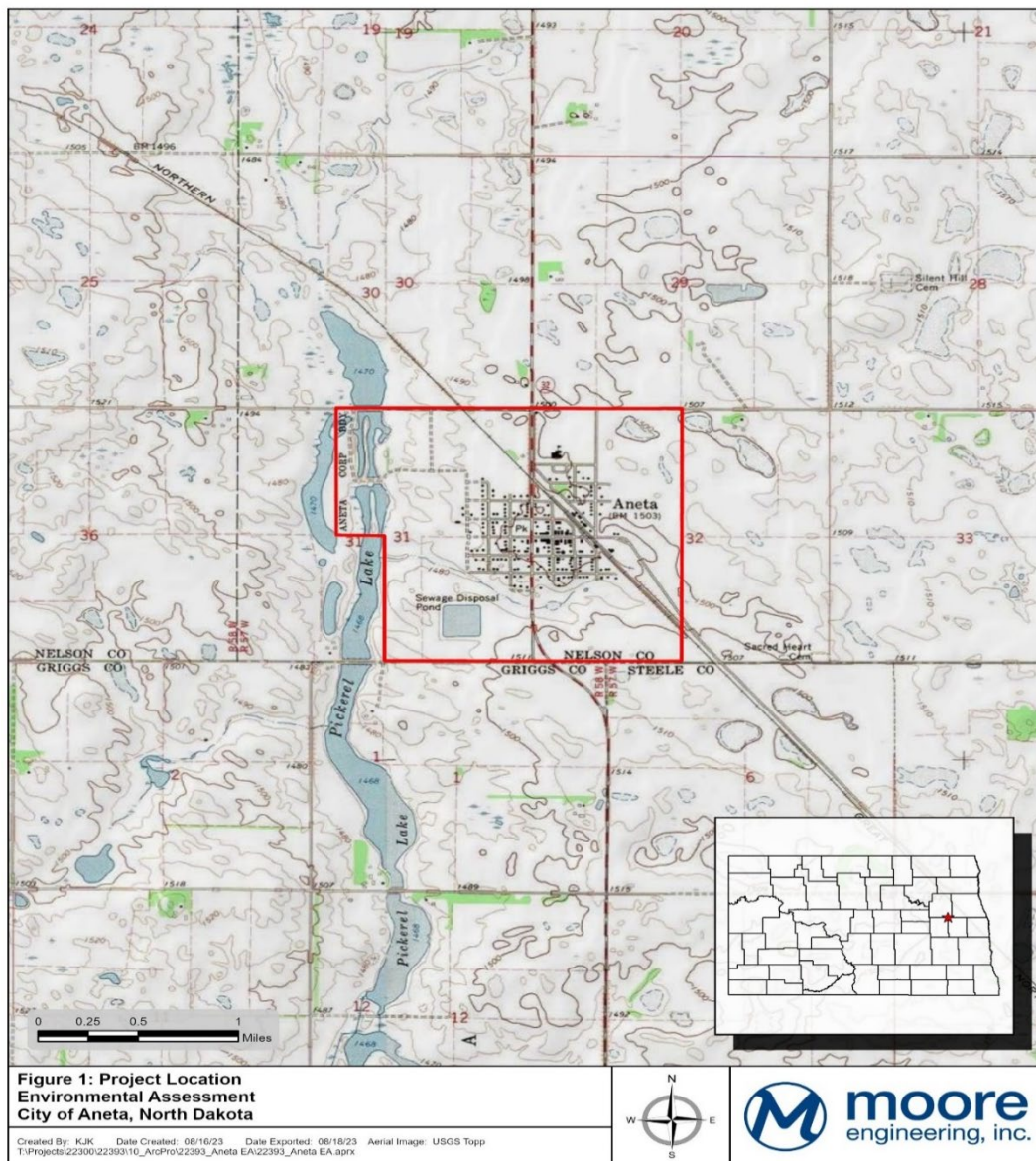


Figure 1. Project Location Map

1.2 Existing Infrastructure

1.2.1 Water Supply and Distribution

The existing water system consists of three components: water supply, storage, and distribution (Figure 2). The City connected to Dakota Rural Water District (DRWD) on June 12, 1997, prior to which, water was supplied by groundwater wells northwest of the City. The City purchases water from DRWD and there are currently no significant issues with water quality or supply. In 2004, the existing elevated 50,000-gallon water tower was replaced with a new pedesphere style elevated storage tank¹ of equivalent size.

The original water distribution system was installed in 1955 and consists of 34 blocks of 6-inch diameter and 8 blocks of 8-inch diameter cast iron pipe (CIP), approximately 15,200 linear feet (LF) in total. The original CIP mains have been in service now for 68 years. The water mains, gate valves and service lines are all nearing the end of their design life or are non-functioning and are in need of replacement. The existing CIP water mains are deteriorating and have begun to rust, causing problems for the City. In recent years, the City has experienced many breaks of the existing cast iron water mains. The City experienced eight water main breaks during the summer of 2020 and completed an emergency water main replacement project Fall 2020/Summer 2021 to replace three blocks of existing CIP water mains. The service life of cast iron pipe is typically around 50-65 years before major problems begin to arise. Nonfunctioning gate valves are also a problem throughout the City and are in need of replacement to allow for isolation of the system for maintenance, new installation, and repairs.

1.2.2 Sanitary Sewer and Wastewater Treatment

The sanitary sewer system consists of two components: the wastewater collection system and wastewater treatment (Figure 2). The collection system was originally installed in 1960-1961 and consists of 46 blocks of 8-inch and 2 blocks of 10-inch vitrified clay pipe (VCP), approximately 17,350 LF in total. The City contracted to have the sanitary sewer mains cleaned and televised the summer of 2022. The sewer televising was evaluated and a majority of the clay sewer mains are in fair condition with cracking, sags, and offset joints. However, there are several locations of pipe that are in poor condition with larger fractures and holes in the pipe wall, severe sags, offset joints and broken pipes. Groundwater infiltration, mineral deposits, intruding service laterals and roots are other noted deficiencies. The sewer pipe is nearing the end of its design life and should either be replaced or relined with cured-in-place-pipe (CIPP). The majority of the sewer services are clay pipe with some services consisting of PVC pipe. The condition of the sanitary service pipes is unknown. Sanitary manholes were also inspected and were found to be in fair condition.

The only sanitary sewer lift station is located in the southwest corner of the City. Wastewater is collected at the lift station and then pumped through an 8-inch PVC force main south to the lagoons located in the southwest portion of the City limits. The City has indicated that the overall condition of the lift station is fair. One pump was replaced 10 years ago and the other pump has been in service for 20 years. The City's wastewater is treated by a three-pond facultative lagoon system located just south of the city. The original lagoon was constructed in 1960 and consisted of one large pond. Over the years the lagoon has been modified by splitting the primary pond into two primary ponds and adding a secondary pond. Each primary pond is approximately 5.0 acres and the secondary pond is 4.5 acres, providing a total of 14.5 acres at median water level (MWL) for treatment. The treated water is discharged to the west into Pickerel Lake Creek. The

¹ An elevated, welded, carbon-steel, spherical water storage tank; supported by a single cylindrical carbon-steel support pedestal with a flared conical base.

ponds have more than enough storage needed to meet the city's current needs due to the fact that the current population is about half of the design population. Overall, the lagoons are in good condition; therefore, there are no proposed improvements to the wastewater ponds at this time.

1.2.3 Storm Sewer

City streets are primarily asphalt rural section with stormwater conveyed by ditches and culverts, though there are a few urban section streets with curb and gutter and storm sewer in the downtown area of the City. There is approximately 1,450 LF of 8-inch storm sewer that conveys storm water along Main Avenue from Third to Second Street, then south along Second Street to the outlet south of Searns Avenue (Figure 2). The storm sewer inlets and manholes are precast concrete and in fair condition. The existing storm sewer mains are vitrified clay pipe (VCP) and in poor condition. Storm sewer between the inlets and mains are reinforced concrete pipe (RCP) and in good to fair condition.

1.3 Purpose and Need

The purpose of the proposed project is to address infrastructure deficiencies throughout the water distribution, sanitary sewer, and storm sewer systems in the City of Aneta to ensure continued service to its residents. There is a critical need for these improvements as many components of the existing water, sanitary, and storm sewer systems are reaching the end of their design life, show signs of wear, or pose a threat to safe drinking water if failure occurs.

1.4 Authority

Section 594 of the Water Resources Development Act (WRDA) of 1999, as amended, authorizes the Secretary of the Army to provide design and construction assistance for water related environmental infrastructure and resource protection and development projects in Minnesota. Such projects include wastewater treatment and related facilities, water supply storage, treatment and related facilities, environmental restoration, and surface water resource protection and development. Under this authority, subject to the terms of the relevant cost-sharing agreement, the City of Aneta is eligible for Corps reimbursement of 75 percent of the costs of the City's eligible design and construction of the environmental infrastructure.

The cost sharing agreement between the Department of the Army and the City requires that the City afford the USACE the opportunity to review and comment on all design work and contract solicitations and prohibits the issuance of construction contract solicitations and construction work prior to receipt of notification from USACE that all environmental compliance is complete. The Corps will require the best management practices and other avoidance, minimization, and mitigation measures identified in this Environmental Assessment (EA) and attachments are incorporated into design work and contract solicitations, for compliance with the National Environmental Protection Act (NEPA) and other laws.



2 Alternatives

2.1 No Action Alternative

Under the No-Action Alternative, the Corps would not provide reimbursement under Section 594 for water and sewer system improvements. Under this alternative, the City system would not be upgraded in the near term and the City would continue to rely on a water and sewer system that is not reliable or safe. The City would conduct repairs as needed while making improvements over a longer timeframe. The City would be likely to separate the improvement project into multiple phases and seek funding from non-federal sources, which would delay the project for an undefined amount of time, incurring more costs both by losing the economy of scale and seeing increased construction costs each year. The No Action Alternative would not address any of the deficiencies identified in the water, sanitary, and storm sewer infrastructure. The existing cast iron water mains would remain in-place along with the risk of breaks and unexpected costs of emergency repairs and water loss. The vitrified clay sewer mains would also remain in-place with the risk of further deterioration and pipe collapse.

2.2 Proposed Alternative

The project area is located within the existing street right-of-way (Figure 3). The Proposed Alternative consists of a combination of infrastructure replacement by open trench method and rehabilitation by trenchless methods (directional drilling and relining). The Proposed Alternative includes removing and replacing 44 blocks of existing cast iron water mains and services and installing new PVC pipes by open trench method and by horizontal directional drilling (trenchless) method of construction. The 48 blocks of vitrified clay sewer mains will be rehabilitated by relining with cured-in-place-pipe (CIPP), which is a trenchless method of construction. The project will also replace water services, gate valves, non-working curb stops, rehabilitate manholes, restore pavement, hydrants, complete miscellaneous concrete repairs, and final site stabilization. Steel casing will need to be bored under the BNSF railroad tracks to allow for installation of the new water main looping which will provide a second connection to the northeast portion of the City. This alternative addresses the infrastructure deficiencies identified in Section 1.2. as it reduces the risk of emergency repairs should a failure occur. Construction of the Proposed Alternative would provide continued reliable services to the residents of Aneta.

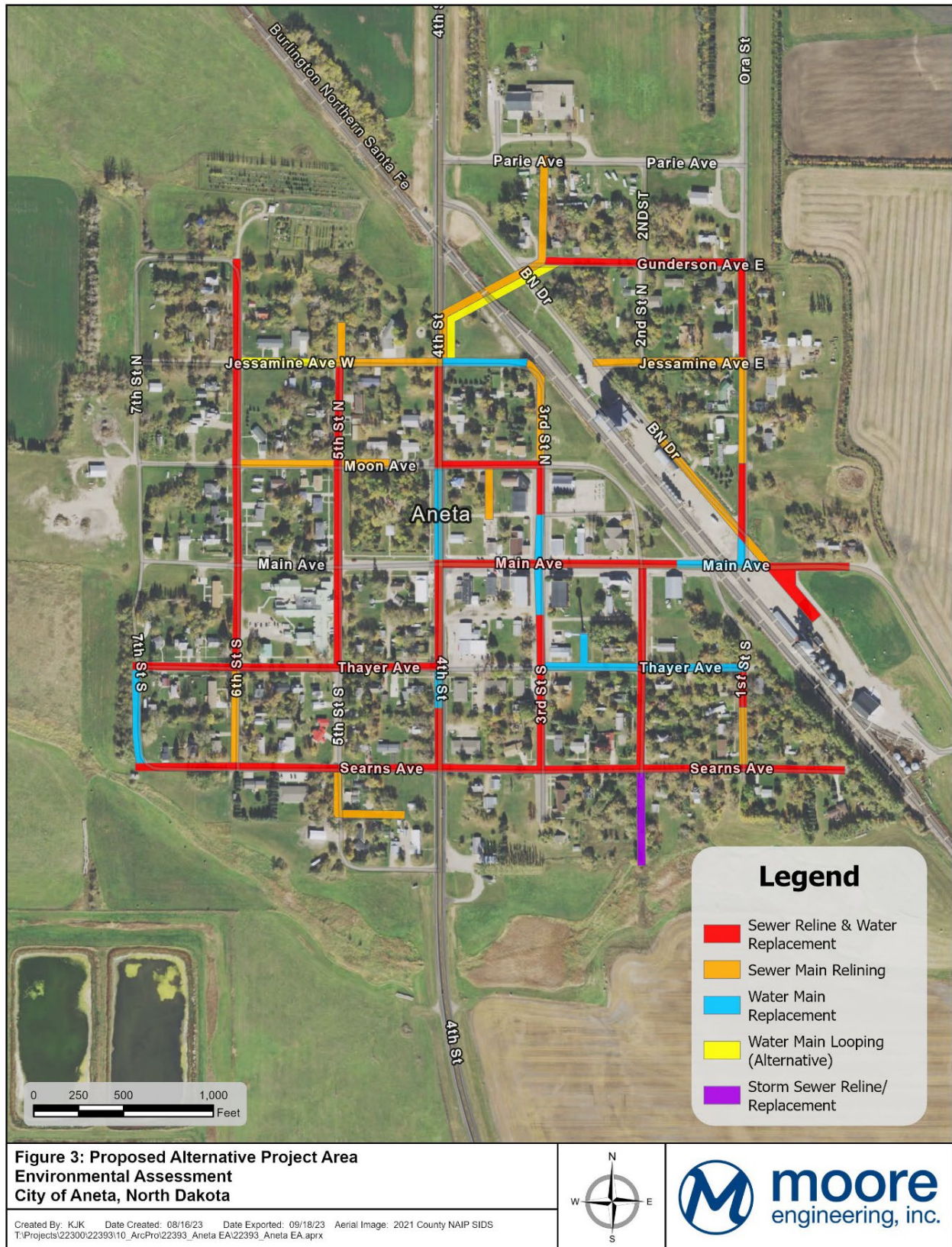


Figure 3. Proposed Alternative for the Aneta Water and Sewer Improvements Project.

3 Affected Environment and Environmental Consequences

Current land use in the project area, which lies within the City of Aneta, consists of residential and commercial properties, and residential streets. Most of the habitat in the project area has been disturbed by past and present activities. The Proposed Alternative would occur over the 2024 and 2025 construction seasons, May through November (total of 14 months) with shutdown during the winter months. Construction equipment that would be used to complete the project includes backhoe/excavator, dozer, front-end loader, trench compactor (sheep's foot), dump trucks, skid steer, directional drilling machine, boring machine, sewer relining truck, asphalt paver, and smooth drum roller.

3.1 Natural Resources

3.1.1 Air Quality

The U.S. Environmental Protection Agency (USEPA) is required by the Clean Air Act to establish air quality standards that primarily protect human health. These National Ambient Air Quality Standards (NAAQS) regulate six criteria pollutants across the United States. When an area meets the standard for each of the six pollutants, it is called an "attainment area" for that contaminant. Areas that do not meet the standards are called "nonattainment areas". Nelson County, North Dakota is classified as an attainment area for each of the six criteria pollutants and is therefore not considered an area of impaired ambient air quality (USEPA 2023a).

No Action Alternative – The No Action Alternative would have no direct effect on air quality. Spot repairs in the event of breakage and maintenance would have short term impacts to air quality during repair and maintenance activities.

Proposed Alternative – The operation of heavy equipment during construction would temporarily increase vehicle emissions and slightly degrade air quality in the immediate vicinity of the project area. However, impacts would be short-term and negligible due to the short construction timeframe (14 months). To minimize air emissions, contractors would be required to meet or exceed all federal, state, and local air resource requirements. Fugitive construction dust is a common problem on construction sites and will be limited by reduced excavation (through directional drilling) and the Contractor will be required to use dust suppression using potable water where needed. After construction, maintenance activities would be routine, noninvasive and have minimal impacts.

3.1.2 Greenhouse Gases

There are currently no Federal Greenhouse Gases (GHG) emission thresholds. Therefore, a GHG significance threshold to assess impacts is not proposed. Rather, in compliance with NEPA implementing regulations, the anticipated emissions as well as their associated social costs are disclosed for each alternative without expressing a judgment as to their significance.

On January 9, 2023, the CEQ released National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change. This guidance provides details for how federal agencies can incorporate GHG and climate change considerations into the NEPA process, including assessing and reducing impacts from GHG emissions or incorporating climate resiliency considerations into alternatives. While the Climate Change Guidance is considered "interim," it is effective immediately, while CEQ seeks public comment on the guidance.

As discussed in this guidance, when conducting climate change analyses in NEPA reviews, agencies are recommended to consider the potential effects of a proposed action on climate change, including by assessing both direct and indirect GHG emissions and reductions from the proposed action, quantifying the baseline (no-action) emissions, and the effects of climate change on a proposed action and its environmental impacts. The guidance further recommends that greenhouse gas emissions should be quantified for the gross and net emissions for each chemical species (i.e., methane, nitrous oxide, etc.) and summarized as carbon dioxide equivalent (CO₂e) and social cost of greenhouse gases. The guidance also emphasizes the “rule of reason” which states that the depth of the GHG analysis should be commensurate to the amount of greenhouse gases emitted.

Impacts of the No-Action Alternative – The No Action Alternative would not contribute to GHG emissions unless emergency repairs were necessary. Emergency repairs would likely be short-term (1 week to 1 month) in nature and generate minimal GHG emissions based on likely equipment and duration.

Impacts of All Action Alternatives – The operation of heavy equipment (listed above) during construction would generate GHG emissions; however, the construction timeframe is 14 months over two construction seasons. Therefore, the project would have a minor impact on GHG emissions.

3.1.3 Water Quality

Pickerel Lake Creek, located along the western edge of the City, is listed as impaired on the 2020-2022 list of impaired waters in North Dakota. Pickerel Lake Creek is impaired for fish and other aquatic biota, recreation, benthic macroinvertebrates bioassessments and *Escherichia coli* (E. coli) (NDEQ 2023).

No Action Alternative – Under the No Action Alternative, the vitrified clay sewer mains would remain in-place with the risk of further deterioration and pipe collapse. Deterioration of the sewer mains could cause sewage to back up into the mains, possibly homes and businesses as well as flowing into nearby waters. Therefore, the No Action Alternative could have a negative temporary but potentially recurring effect on water quality.

Proposed Alternative – The Proposed Alternative would have a beneficial effect on water quality by ensuring a safe and reliable water and sewer system thereby reducing the potential of sewage from entering nearby waters. During construction of the Proposed Alternative, proper construction methods would be used to minimize adverse effects to bodies of water. Erosion and sediment control measures would be implemented to prevent silt from leaving the project areas and entering any downstream waters. Projects, such as the Proposed Alternative, disturbing one or more acres are required to have a permit to discharge stormwater runoff until the site is stabilized by the re-establishment of vegetation or other permanent cover. The construction contractor will be required to follow the general construction North Dakota Pollutant Discharge Elimination System permit accompanying Stormwater Pollution Prevention Plan. This project will not cause adverse effects to bodies of water and the contractor will utilize construction best management practices (BMPs) to protect against erosion and sedimentation of downstream resources. Any spills that occur during construction will be immediately reported to the North Dakota Department of Environmental Quality (NDDEQ).

3.1.4 Geology and Soils

Soil survey data indicate that the City of Aneta contains a mix of soils considered prime farmland, prime farmland if drained, and not prime farmland. The majority of mapped prime farmland correlates with the developed portions of the City, with soils meeting the other aforementioned farmland classifications along the boundaries

No Action Alternative – The No Action Alternative would have no effect to the geology and soils within the project area unless emergency repairs are needed. Emergency repairs would result in a temporary, minor disturbance to soils.

Proposed Alternative – The Proposed Alternative would result in minor temporary disturbance to soils during construction. There would be no loss or conversion of prime farmland to non-agricultural uses. The project lies within the city limits and therefore the Farmland Policy Protection Act does not apply. A letter dated 13 March 2023 from the Natural Resources Conservation Service confirming this determination can be found in Appendix A.

3.1.5 Floodplain

The Federal Emergency Management Agency (FEMA) National Flood Hazard Layer indicates that the City of Aneta is not in a flood zone or regulatory floodway (Figure 5). Therefore, the No Action and Proposed Alternatives would have no effect on floodplains.

3.1.6 Wetlands and Aquatic Habitat

The Project Area lies within the Drift Plains Level IV Ecoregion, an area of the Northern Great Plains Level III Ecoregion. This area consists of a subtle, undulating topography resulting from the retreat of the Wisconsin glaciers and contains many temporary and seasonal wetlands. This region is largely cultivated due to productive soil (Bryce et al. 1996). The seasonal and temporary wetlands that dominate this ecoregion are a source of significant, unique habitat that is critical for many bird species, particularly waterfowl (NDGF 2019). The City of Aneta is surrounded by a number of these wetlands (Figure 4), some of which are cultivated. Much of the surrounding area consists of U.S. Fish and Wildlife Service (USFWS) Nelson County Waterfowl Production Area easement lands, part of the larger Devils Lake Wetland Management District.

Review of the USFWS National Wetlands Inventory (NWI) indicates several wetlands within the City limits, including palustrine emergent wetlands (PEM), palustrine aquatic bed (PAB) wetlands, riverine wetlands (R), and lacustrine wetlands (L) (USFWS 2016). Pickerel Lake is located along the western edge of the City, which is denoted as a lacustrine feature (Figure 4). Wetland features, though present within the City limits, are generally located outside of the proposed project area, with the exception of the proposed storm sewer improvement area, which is believed to discharge to a drainage swale wetland complex south of the project area.

The U.S. Geological Survey (USGS) National Hydrography Dataset (NHD) indicates the presence of an ephemeral feature at the southern end of the City, which flows into Pickerel Lake Creek, along the west side of the city limits. Three wastewater lagoons are present in the southwest quadrant of the City (Figure 5). These are known constructed features identified as waterbodies on both the NHD and the NWI.

No Action Alternative – The No Action Alternative would have no effect on wetland or aquatic habitat.

Proposed Alternative – The Proposed Alternative would have no effect on aquatic or wetland habitat, as construction would occur solely within existing City streets and road/utility rights of way, within previously disturbed or maintained residential areas. Potential impacts to wetlands were analyzed through the review of aerial imagery, the National Wetland Inventory, and project plans. The project area does not contain wetlands, with the exception of the storm sewer improvement area, which is believed to discharge to a drainage swale wetland complex south of the project area. The Proposed Alternative intends to reline this segment of storm sewer with cured-in-place pipe which would not result in any permanent or temporary impacts to wetlands. However, if changes to construction methods (open trench instead of CIPP) occur, the City of Aneta would be required to obtain a Clean Water Act Section 404 permit as well as 401 water quality certification before construction begins. If a Section 404 permit is required, the proposed

project could be authorized under Nationwide Permit 58 - Utility Line Activities for Water and Other Substances. The NDDEQ certified Nationwide Permit 58 with conditions. If open trench methods are required, impacts to the wetland complex will be minor and temporary.

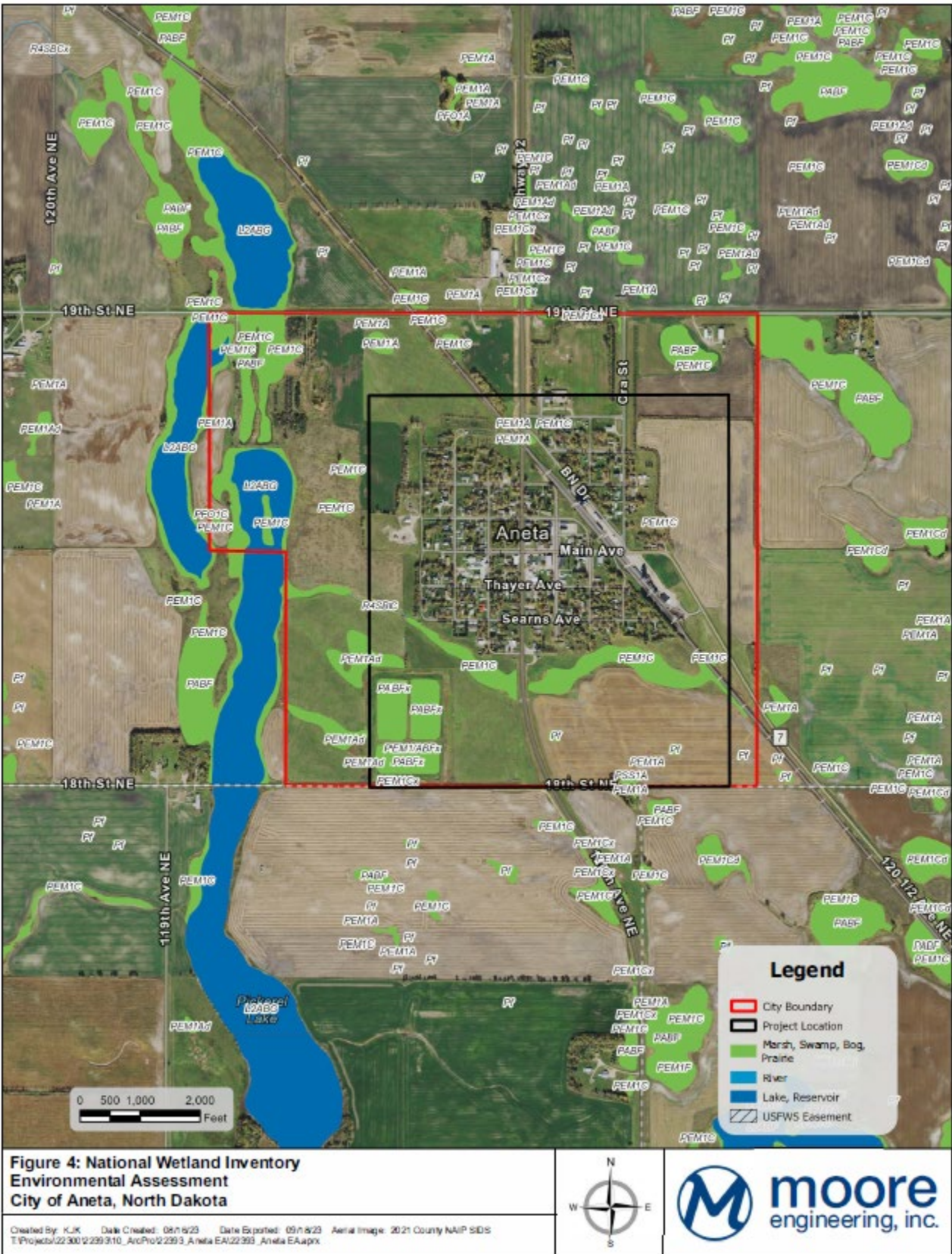


Figure 4. National Wetland Inventory Map

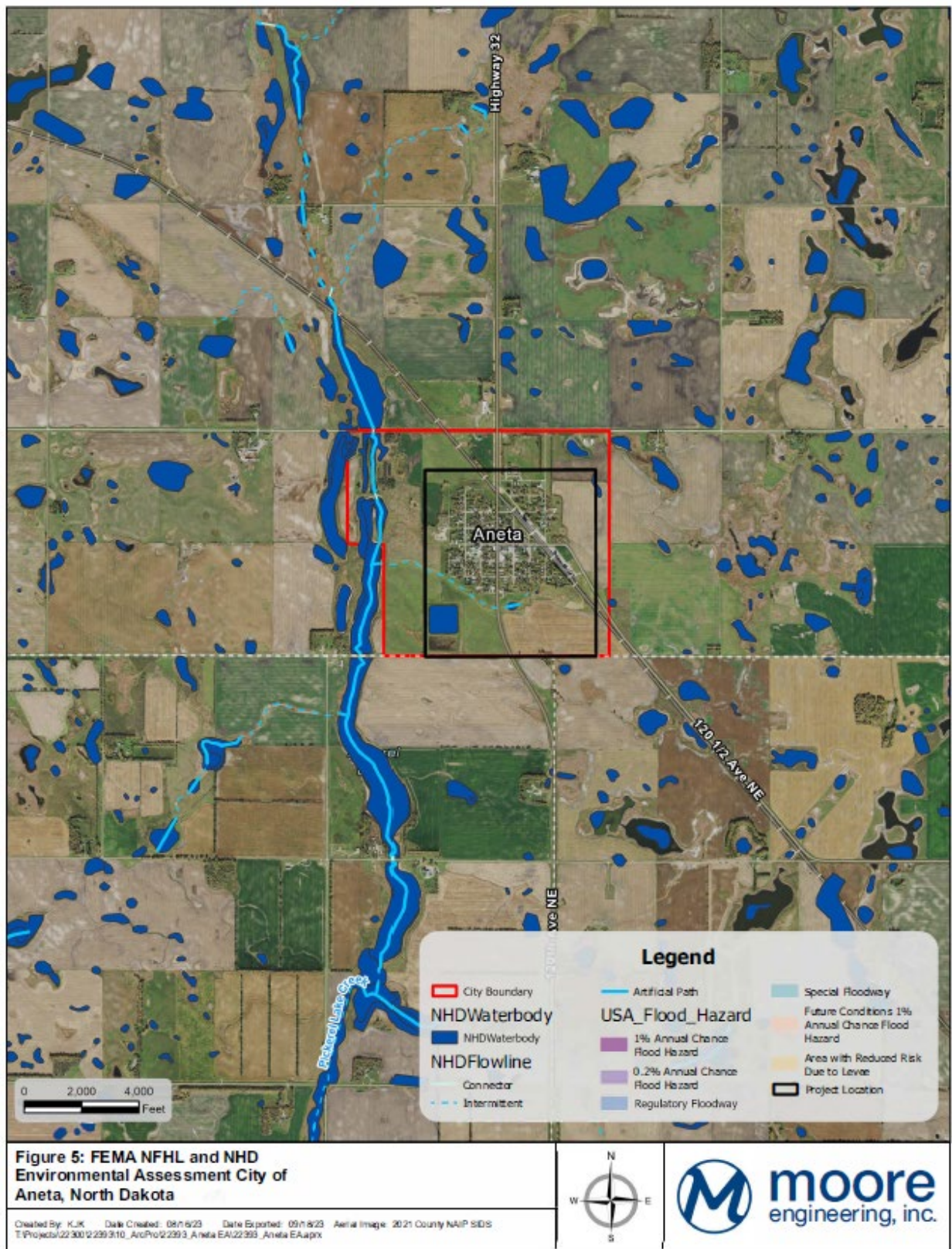


Figure 5. FEMA National Flood Hazard Layer and National Hydrography Dataset

3.1.7 Terrestrial Habitat

The project area is contained within the city limits of Aneta, which primarily contains of residential yards, commercial properties, and residential streets. Project activities will primarily occur within City streets and other developed or previously disturbed areas, both impervious and vegetated. The predominant vegetation within this area is manicured grasses (residential lawns) with moderate cover of deciduous and coniferous trees. Land use beyond the residential portions of the City is agricultural, with annual row crops and hay land bordering the City. Most of the landscape within the project area is developed or previously disturbed.

No Action Alternative – The No Action Alternative could have a temporary impact to terrestrial habitat during emergency repairs. Minor vegetation disturbance could occur but would be restored post construction, consistent with regular practices and stormwater/erosion requirements.

Proposed Alternative – The Proposed Alternative would largely be completed within previously disturbed land and streets as the project footprint is entirely contained within the Aneta city limits. There is the potential for some minor vegetation disturbance along residential lawns and road rights of way. To the extent feasible, these effects would be minimized, and impacts will be restored post construction. Areas where relining is proposed will have a lesser impact than areas where replacement with open trench methods are proposed. With the removal of grass cover, some erosion from wind or water may occur during construction. Implementing temporary erosion control measures and reseedling the disturbed areas will minimize these effects. The contractor will be required to implement a temporary erosion control plan throughout the duration of the project.

3.1.8 Wildlife

Due to the rural residential land use and human presence within the area, the wildlife species present are likely those typically found in rural cities and agricultural land, including deer, squirrels, songbirds, and waterfowl. Table 1 identifies potential migratory birds which could occur within the project area.

Table 1. Potential Migratory Bird Species within the Project Area (IPaC).

Common Name	Species Name	Breeding Season
Black tern	<i>Chlidonias niger</i>	May 15 - Aug 20
Bobolink	<i>Dolichonyx oryzivorus</i>	May 20 - Jul 31
Franklin's Gull	<i>Leucophaeus pipixcan</i>	May 1 - Jul 31
Western Grebe	<i>Aechmophorus occidentalis</i>	June 1 - Aug 31

The black tern, Franklin's gull, and Western grebe rely on habitat consisting of freshwater marshes, riparian zones, and lakeshores, with a mixture of open water and emergent vegetation. Habitat for these three migratory bird species is present but limited within the City of Aneta. The bobolink is a grassland bird species, which relies on herbaceous wetlands, croplands, hayfields, and prairies. Hay land and cropland bordering the City may provide suitable habitat for this species (NatureServe 2023). The project area consists primarily of City streets and existing infrastructure and therefore provides little to no habitat for migratory birds.

No Action Alternative – The No Action Alternative could result in emergency repairs which would cause wildlife to temporarily avoid the impacted area due to construction noise and the presence of equipment; however, wildlife would return to the area once construction ceases.

Proposed Alternative – Wildlife would avoid areas where construction is occurring due to construction noise and equipment but return once construction is complete. Impacts to wildlife would be minor and temporary as the construction timeframe is short (7 months each in 2024 and 2025) and work would occur along roadways in residential areas.

Bird species protected under the Migratory Bird Treaty Act would not be affected by the Proposed Alternative because there are no impacts proposed to natural communities. Work will take place within existing City infrastructure, resulting in a no effect determination for migratory bird species.

3.1.9 Threatened and Endangered Species

The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Conservation (IPaC) website was consulted on October 23, 2023 to identify potential presence of federally listed threatened and endangered species within the action area. Dakota skipper (*Hesperia dacotae*, threatened) and monarch butterfly (*Danaus plexippus*, candidate) were listed for the action area. No critical habitat was identified in the action area.

The Dakota Skipper is listed as a threatened species wherever it is found. Dakota skipper is primarily found in native prairie habitat containing a high diversity of wildflower and grasses in north-central North Dakota, western Minnesota, northeastern South Dakota, and southern Manitoba. They inhabit two types of native prairie, including tallgrass moist bluestem prairies and dry upland prairies often found on ridges and hillsides. Preferred forbs for nectaring include wood lily (*Lilium philadelphicum*), harebell (*Campanula rotundifolia*), smooth camas (*Zygadenus elegans*), in moist prairie habitats; purple coneflower (*Echinacea angustifolia*) is common in dry upland prairie habitats (USFWS 2023a).

In December 2020, the USFWS assigned the monarch butterfly as a candidate for listing under the ESA due to its decline from habitat loss and fragmentation; however, candidate species are not protected under the ESA. The monarch butterfly inhabits areas where native flowering plants and milkweed, which is required for larval rearing, are common. While breeding habitat of variable quality is present throughout North America, it is sporadic and often may not contain suitable nectar sources for adult monarchs. While larvae are reared on host milkweed plants, adults may inhabit many types of habitat, including wetlands, grasslands, forests, woodlands, and urban areas (USFWS 2023b).

No Action Alternative – The No Action Alternative would have no effect on federally listed threatened and endangered species.

Proposed Alternative – There is no Dakota skipper habitat within the footprint of the Proposed Alternative. According to the North Dakota Game and Fish, skippers have been documented in several counties in North Dakota, though none have been observed in Nelson County. Individuals of this species could migrate through the project area; however, this is unlikely due to the lack of suitable nesting or foraging habitat nearby and the limited mobility of the species, which are believed to be incapable of traveling distances greater than one kilometer. Additionally, there is no designated critical habitat for Dakota skipper in Nelson County or any of the surrounding counties. The Project would impact existing City streets and infrastructure and does not propose to impact natural communities within the project area. Therefore, the Proposed Alternative would have no effect on Dakota skipper.

There is no monarch butterfly habitat within the footprint of the Proposed Alternative. Individuals of this species could migrate through the Project Area; however, it is unlikely this would happen during construction due to the lack of suitable nesting or foraging habitat. While monarchs may utilize habitat within the general vicinity of the City, wherever milkweed and nectar sources are available, the Project would primarily impact existing City streets and infrastructure and does not propose to impact natural communities within the project area. Therefore, the Proposed Alternative would have no effect on the monarch.

3.1.10 Invasive Species

The project area is mostly manicured vegetation. Invasive species were occasionally observed in field edges or disturbed areas. Species included common burdock (*Arctium minus*), smooth brome (*Bromus inermis*), Canada thistle (*Cirsium arvense*), reed canary grass (*Phalaris arundinacea*), sow thistles (*Sonchus spp.*), and dandelions (*Taraxacum officinale*).

No Action Alternative – The No Action Alternative would have no effect to invasive species beyond existing conditions.

Proposed Alternative – The Proposed Alternative is not anticipated to result in the spread of invasive species not currently present within the project area.

3.2 Socio-economic Resources

3.2.1 Recreation

Recreational opportunities in the City include biking and walking on City streets and sidewalks, as well as tennis and basketball at the Aneta Tennis and Ball Courts. The Aneta City Park Playground is also available for recreation. Both the the Aneta City Park Playground 38-01277 and Aneta Tennis and Ball Courts 38-00729 are protected under Section 6(f) of the Land and Water Conservation Fund (LWCF).

No Action Alternative – The No Action Alternative should have no effect on recreation unless an emergency repair is needed which would cause a temporary disturbance to recreational activities in the impacted area until repairs are complete.

Proposed Alternative – The Proposed Alternative could have a negative indirect impact on recreation in areas adjacent to where construction is occurring. Construction would occur May through November which is the time when most recreation would occur. Construction would not occur within the recreation areas themselves and they would remain open for use. Noise and traffic obstructions would temporarily disrupt recreational activities during both 2024 and 2025. It is not anticipated that construction would occur throughout the whole city at one time.

The City coordinated with the North Dakota Parks and Recreation Department Grants Coordinator regarding the Section 6(f) properties in Aneta to ensure avoidance. A letter was received 5 June 2023 stating “there will be no impact proposed to the boundaries listed above. The City of Aneta can allow for the installation of underground utilities within an LWCF boundary area as long as the ground above the alignment can be and is restored to its pre-existing condition to ensure the continuation of public outdoor recreational use of the area within 12 months after the ground is disturbed (National Park Service LWCF Manual - Chapter 8 – Page 111 - G. Underground Utility Easements and Rights-of-Way). A copy of the letter is included in Appendix A. The City has since confirmed that the project construction is not proposed to extend into the Section 6(f) properties and no direct effects will occur.

3.2.2 Noise

Noise levels in and around the vicinity of the project area are commensurate with that of other small towns in eastern North Dakota.

No Action Alternative – The No Action Alternative could lead to emergency repairs which could disrupt residents and neighbors due to increased noise from the use of heavy equipment. Emergency repairs could occur outside of daylight hours but would likely be repaired quickly in order to restore services. Noise levels would return to normal following emergency repairs.

Proposed Alternative – The use of heavy equipment for construction would generate a temporary increase in noise levels which could disturb wildlife and citizens. The use of heavy equipment on the site would only be for a short period of time, resulting in a temporary and minor adverse effect. Construction is expected to occur over 14 months (7 months in 2024 and 2025).

Work is expected to occur during daylight hours only. Construction noise would have a minor short-term effect on residents and businesses in the area as the construction timeframe is only 7 months each year for two years. Noise levels would return to normal following construction.

Noise associated with construction of the project would lead to temporary displacement of some wildlife species. Nesting of birds may also be discouraged within the project area. However, birds and other wildlife species are expected to return to the area following construction. No long-term impacts would be expected to occur once construction is complete.

3.2.3 Transportation

The major highway through Aneta is North Dakota Highway 32; however, most other roads in Aneta are through residential areas. A BNSF rail line bisects a portion of the City from northwest to southeast.

No Action Alternative – Under the No Action Alternative, emergency repairs may become necessary which would disrupt traffic in the affected area. These repairs would likely be needed immediately without advanced notice to motorists regarding road closures and detours. Emergency repairs are expected to be completed quickly and traffic would return to normal.

Proposed Alternative – There would be disruption to local traffic and detours as streets are temporarily closed to complete the work for 7 months in 2024 and 2025. Transportation may be temporarily affected into and out of the project area during construction, including some work within North Dakota Highway 32 right-of-way for sewer relining and water main installation by directional drilling. These temporary adverse effects would cease once construction of the Proposed Alternative is complete. Construction activities would be expected to use appropriate BMPs to minimize safety risks. The City's contractor would be required to maintain traffic throughout construction.

3.2.4 Health and Safety

The city of Aneta has several water main breaks in recent years and the sanitary sewer mains are in fair to poor condition as described in Section 1.2.

No Action Alternative – Under the No Action Alternative, the existing cast iron water mains would remain in-place along with the risk of breaks and unexpected costs of emergency repairs and water loss. The vitrified clay sewer mains would also remain in-place with the risk of further deterioration and pipe collapse. The cracked and broken pipes allow groundwater infiltration into the mains causing excess pumping at the lift station, which increases wear and tear on the pumps and cost of electricity as well as reduces capacity at the wastewater ponds. These situations could cause both health hazards and financial losses for the City's residents.

Proposed Alternative – This Proposed Alternative would provide the citizens of Aneta with a reliable water and sewer system for many years to come.

3.2.5 Environmental Justice

Environmental Justice is institutionally significant because of Executive Order 12898 of 1994 (E.O. 12898) and Department of Defense's Strategy on Environmental Justice of 1995, which directs federal agencies to identify and address any disproportionately high adverse human health or environmental effects of federal actions to minority and/or low-income populations, as well as E.O. 14008, 13985 and 13990.

The Executive Order (EO) Revitalizing Our Nation's Commitment to Environmental Justice for All was published in the Federal Register on April 26, 2023 at 88 FR 25251. The EO outlines the government-wide approach to environmental justice and the requirements to identify, analyze, and address disproportionate and adverse human health and environmental effects of federal actions.

Executive Order (EO) 14096 Revitalizing Our Nation's Commitment to Environmental Justice for All was published in the Federal Register on April 26, 2023 (88 FR 25251). The EO outlines the government-wide approach to environmental justice and the requirements to identify, analyze, and address disproportionate and adverse human health and environmental effects of federal actions.

The Corps used two tools, USEPA EJScreen and CEQ's CEJST, to evaluate potential environmental justice concerns. Because the analysis considers disproportionate impacts, the Corps defined two areas to facilitate comparison between the area affected and a larger regional area that serves as a basis for comparison and includes the area affected. The larger regional area is defined as the smallest political unit that includes the affected area and is called the community of comparison. For purposes of this analysis, the affected area is the City of Aneta and Nelson County, North Dakota is the community of comparison.

A minority population, for the purposes of this environmental justice analysis, is identified when the minority population of the potentially affected area is greater than 50% or the minority population is meaningfully greater than the general population or other appropriate unit of geographic analysis. Additionally, the CEQ identifies "low-income" using Census data for "individuals living below the poverty level." The USEPA EJScreen mapping and screening tool was used to obtain minority population and low-income population data. Within the affected area, people of color account for 15 percent and low-income populations account for 23 percent of the population compared to 8 and 28 percent respectively for Nelson County, North Dakota (U.S. Environmental Protection Agency 2023b).

The percentage of people of color percent in the affected area does not exceed 50 percent but is meaningfully greater than the community of comparison. Therefore, a minority population is present. The aggregate low-income population percentage in the affected area does not exceed 50 percent and is not greater than the low-income population in Nelson County. Therefore, no low-income population is present.

The USACE also reviewed the proposed project area using version 1.0 of the Climate and Economic Justice Screening Tool (CEJST), which is identified in ASA(CW) guidance as the default tool for EJ analysis, for detail on the census tract including the City of Aneta. The tract is considered partially disadvantaged according to the CEJST as lands of a Federally Recognized Tribe cover less than 1% of the tract and are considered disadvantaged. A small portion of the Spirit Lake Reservation is included in the tract but is approximately 28 miles away from the City of Aneta. No adverse effects to this area are anticipated.

No Action Alternative – Under the No Action Alternative, no major construction would occur in the project area; therefore, there would be no impacts to minority or low-income populations. There would be no changes to the social and economic character of the project area.

Proposed Alternative – Under the Proposed Alternative, impacts to minority populations would be temporary and minor and there would be no displacement of such populations. As discussed in this EA, construction of the Proposed Alternative would result in short-term changes in noise, air quality, and transportation which would not be significant. Implementation of BMPs for air quality and transportation would further reduce impacts. The intention of the Proposed Alternative is to assist a small community with water and sewer system improvements that would otherwise be unaffordable to them. The action would result in long term beneficial effects for the population. Therefore, the Proposed Alternative would not result in disproportionately high and adverse human health or environmental effects on minority and/or low-income populations and would be in compliance with E.O. 12898. The Proposed Alternative would have a beneficial effect on a minority community.

3.3 Cultural Resources

USACE identified the Area of Potential Effects (APE) for Section 106 of the National Historic Preservation Act to be the boundary limits of the City of Aneta, North Dakota within Section 31 and 32 of Township 149N, Range 57W. Review of the North Dakota State Historic Preservation Office (SHPO) and National Register of Historic Places (NRHP) resource databases identified no historic properties within the project area. The project area has been highly disturbed with the construction, operation, and maintenance of the existing city infrastructure.

No Action Alternative – The No Action Alternative would have no effect to historic properties since none are present in the project area.

Proposed Alternative – The proposed alternative would have No Effect to Historic Properties since none are in the project area. Moore Engineering, on behalf of the City of Aneta, coordinated its assessment that the proposed project would have No Effect on Historic Properties on 8 March 2023, and the SHPO provided concurrence on 5 July 2023. The Corps, as the Federal action agency, will consult with the SHPO on the No Effect determination.

3.4 Cumulative Effects

The Council on Environmental Quality (CEQ) regulations (40 CFR §§ 1500–1508) implementing the procedural provisions of NEPA, as amended (42 USC § 4321 et seq.) define cumulative effect as:

“..... which are effects on the environment that result from the incremental effects of the action when added to the effects of other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.” (40 CFR 508.1(g)(3))

Cumulative effects analysis recognizes that the most serious environmental impacts may result from the combination of individually minor effects of multiple actions over time, rather than the direct or indirect effects of a particular action (Council on Environmental Quality, 1997).

Analyzing cumulative effects requires identifying the environmentally relevant area and the past, present, and future actions in that area that would contribute incrementally to the overall effect. The environmentally relevant area is determined by both location and time. Future actions are

those that are reasonably likely to occur. A future project is only considered in this analysis if there is sufficient information on the project to understand what its incremental contribution to cumulative effects might be.

The scope of this cumulative effects analysis is the City of Aneta. Previous projects within the city include repair of eight water main breaks during the summer of 2020 and an emergency water main replacement project in Fall 2020/Summer 2021 to replace three blocks of existing CIP water mains. Under the No Action Alternative, future water and sewer system repairs would occur. No other current or future projects within the city are proposed at this time.

The Proposed Alternative is designed to update the existing water and sewer system in order to provide needed public facilities and allow for potential community growth and development. This project would provide the citizens of Aneta with a reliable water and sewer system for many years to come. There would be no cumulative adverse effects to natural resources due to the fact that the proposed work would be completed within previously disturbed areas that provide low quality habitat. Additionally, it is unlikely that the work would result in a substantial increase in residential development that would lead to significant cumulative adverse effects to natural resources in undeveloped areas. Finally, without federal assistance improvements may still be completed at some point in the future.

Table 2. Environmental Assessment Matrix

	No Action Alternative							Proposed Alternative						
	BENEFICIAL				ADVERSE			BENEFICIAL				ADVERSE		
PARAMETER	SIGNIFICANT	SUBSTANTIAL	MINOR	NO EFFECT	MINOR	SUBSTANTIAL	SIGNIFICANT	SIGNIFICANT	SUBSTANTIAL	MINOR	NO EFFECT	MINOR	SUBSTANTIAL	SIGNIFICANT
A. Social Effects														
1. Noise Levels				X								ST		
2. Aesthetic Values				X								ST		
3. Recreational Opportunities					ST							ST		
4. Transportation					ST							ST		
5. Public Health and Safety					ST					X				
6. Community Cohesion (Sense of Unity)				X							X			
7. Community Growth and Development					X					X				
8. Business and Home Relocations				X							X			
9. Existing/Potential Land Use				X							X			
10. Controversy				X							X			
B. Economic Effects														
1. Property Values				X							X			
2. Tax Revenue				X							X			
3. Public Facilities and Services					X				X					
4. Regional Growth				X							X			
5. Employment				X							X			
6. Business Activity				X							X			
7. Farmland/Food Supply				X							X			
8. Commercial Navigation				X							X			
9. Flooding Effects				X							X			
10. Energy Needs and Resources				X							X			
C. Natural Resource Effects														
1. Air Quality					ST							ST		
2. Terrestrial Habitat					ST							ST		
3. Wetlands				X							X			
4. Aquatic Habitat				X							X			
5. Habitat Diversity and Interspersion				X							X			
6. Biological Productivity				X							X			
7. Surface Water Quality				X							X			
8. Water Supply					X				X					
9. Groundwater				X							X			
10. Soils					ST							ST		
11. Threatened or Endangered Species				X							X			
D. Cultural Resource Effects														
1. Historic Architectural Values				X							X			
2. Precontact & Historic Archeological Values				X							X			

X = Long-term effects; ST = Short-term recurring effects.

4 Environmental Compliance

The Proposed Alternative would comply with federal environmental laws, Executive Orders and policies, and applicable state and local laws including but not limited to the Clean Air Act, as amended; the Endangered Species Act of 1973, as amended; the Fish and Wildlife Coordination Act of 1958, as amended; the Land and Water Conservation Fund Act of 1965, as amended; Farmland Protection Policy Act of 1981, as amended; the National Historic Preservation Act of 1966, as amended; the National Environmental Policy Act of 1969, as amended; Executive Order 11990 – Protection of Wetlands; Executive Order 12898 – Environmental Justice; and Executive Order 11988 – Floodplain Management.

4.1 National Environmental Policy Act

The National Environmental Policy Act (NEPA; 42 USC § 4321 *et seq.*) establishes the broad national framework for protecting our environment. NEPA's basic policy is to assure proper consideration to the environment prior to undertaking any major federal action. Two alternatives have been presented and the significance of the project's impacts have been evaluated. The document will be distributed to agencies, the public and other interested parties to gather any comments or concerns. If no significant impacts to the environment are found, a Finding of No Significant Impact (FONSI) will be signed by the St. Paul District commander.

4.2 Land and Water Conservation Fund Act

The Land and Water Conservation Fund (LWCF) was established by Congress in 1964 to fulfill a bipartisan commitment to safeguard natural areas, water resources and cultural heritage, and to provide recreation opportunities to all Americans. Within the City of Aneta two properties are protected under Section 6(f) of the LWCF: the Aneta City Park Playground 38-01277 and Aneta Tennis and Ball Courts 38-00729. As part of the LWCF requirements, a LWCF boundary may not be converted to any use other than outdoor recreation without prior approval from the North Dakota Parks and Recreation Department (NDPRD) and National Park Service. The City of Aneta coordinated the project with NDPRD. NDPRD concluded that there will be *no impact* proposed to the boundaries listed above. The City of Aneta can allow for the installation of underground utilities within an LWCF boundary area as long as the ground above the alignment can be and is restored to its pre-existing condition to ensure the continuation of public outdoor recreational use of the area within 12 months after the ground is disturbed. A copy of the letter from NDPRD can be found in Appendix A. No disturbance from the project within the 6(f) area is proposed under the current plan.

4.3 Clean Water Act

The Clean Water Act (CWA; 33 USC §1251 *et seq.*) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. Section 404 of the CWA regulates the discharge of dredged or fill material into waters of the United States and is administered by USACE. Section 401 water quality certification is required for actions that may result in a discharge of a pollutant into waters of the United States to ensure that the discharge complies with applicable water quality standards. The North Dakota Department of Environmental Quality is the agency responsible for issuing Clean Water Act Section 401 water quality certification.

The proposed project is not anticipated to result in any permanent or temporary impacts to wetlands; however, if changes to construction methods (open trench instead of CIPP) occur, the City of Aneta would be required to obtain a Clean Water Act Section 404 permit as well as 401 water quality certification. The proposed project could be authorized under Nationwide Permit

58 - Utility Line Activities for Water and Other Substances. The North Dakota Department of Environmental Quality certified Nationwide Permit 58 with conditions.

4.4 Endangered Species Act

The Endangered Species Act (16 USC § 1531 et seq.) provides for the conservation of threatened and endangered plants and animals and the habitats in which they are found. There are four federally listed species that are listed for the action area. The Corps has determined that the proposed project would have no effect on the Dakota skipper or monarch butterfly.

4.5 Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (FWCA; 16 USC 661–667e) requires federal agencies to coordinate with the U.S. Fish and Wildlife Service and applicable state agencies when a stream or body of water is proposed to be modified. No streams or other bodies of water are proposed to be modified; therefore, no FWCA coordination is required.

4.6 National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966, as amended by Public Law 96-515 (94 Stat. 2987), established national policy for historic preservation, authorized the Secretary of the Interior to expand and maintain a National Register of Historic Places, and created the Advisory Council on Historic Preservation. Section 106 specifies that federal agencies, must consider the effect of the action on any property included in or eligible for the National Register of Historic Places. The Corps is consulting with the North Dakota SHPO on its No Effect determination.

Table 3. Compliance with Environmental Protection Statutes and Other Environmental Requirements

Environmental Requirement	Compliance¹
<i>Federal Statutes</i>	
Archaeological and Historic Preservation Act	FULL
Bald and Golden Eagle Protection Act of 1940, as amended	FULL
Clean Air Act, as amended	FULL
Clean Water Act, as amended	FULL
Coastal Zone Management Act, as amended	NA
Endangered Species Act of 1973, as amended	FULL
Farmland Protection Policy Act of 1981	FULL
Federal Water Project Recreation Act, as amended	NA
Fish and Wildlife Coordination Act, as amended	NA
Land and Water Conservation Fund Act of 1965, as amended	FULL
Migratory Bird Treaty Act of 1918, as amended	FULL
National Environmental Policy Act of 1969, as amended	PARTIAL
National Historic Preservation Act of 1966, as amended	PARTIAL
National Wildlife Refuge Administration Act of 1966	NA
Noise Pollution and Abatement Act of 1972	FULL
Watershed Protection and Flood Prevention Act	FULL
Wild and Scenic Rivers Act of 1968, as amended	NA
<i>Executive Orders, Memoranda</i>	
Floodplain Management (E.O. 11988)	FULL
Safeguarding the Nation from the Impacts of Invasive Species (E.O. 13112)	FULL
Protection and Enhancement of Environmental Quality (E.O. 11514)	FULL
Protection and Enhancement of Cultural Environment (E.O. 11593)	FULL
Protection of Wetlands (E.O. 11990)	FULL
Analysis of Impacts on Prime and Unique Farmland (CEQ Memorandum, 30 August 1976)	FULL
Environmental Justice (E.O. 12898)	FULL

¹ The compliance categories used in this table were assigned according to the following definitions:

- a. Full – All requirements of the statute, EO, or other policy and related regulations have been met for the current stage of planning.
- b. Partial – Some requirements of the statute, EO, or other policy and related regulations remain to be met for the current stage of planning.
- c. Noncompliance (NC) – Violation of a requirement of the statute, EO, or other policy and related regulations.
- d. Not Applicable (N/A) – Statute, EO, or other policy and related regulations not applicable for the current stage of planning.

5 Distribution and Review of the Draft Environmental Assessment

This draft environmental assessment is being made available for a 30-day public review and comment period. The document can be viewed at:

<https://www.mvp.usace.army.mil/Home/Public-Notices/>. Questions on the project or comments on the Environmental Assessment can be directed to LeeAnn Glomski at 651-290-5595 or at LeeAnn.M.Glomski@usace.army.mil. Please address all formal written correspondence on this project to District Engineer, St. Paul District, Corps of Engineers, ATTN: Regional Planning and Environment Division North, 332 Minnesota St., Suite E1500, St. Paul, MN 55101.

6 References

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APPENDIX A
COORESPONDENCE



United States Department of Agriculture

March 13, 2023

Natural Resources
Conservation Service

Bismarck State Office
PO Box 1458
Bismarck, ND
58502-1458

Voice 701.530.2000
Fax 855-813-7556

Brad Muscha, PE
Moore Engineering, Inc.
925 10th Ave East, Suite 1
West Fargo, ND 58078

Dear Mr. Muscha:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated March 8, 2023 concerning Water and Sewer Improvements, Project No. 22393 in Aneta, North Dakota.

NRCS has a major responsibility with the Farmland Protection Policy Act (FPPA) in documenting conversion of farmland (i.e., Prime, Statewide Importance and/or Local Importance) to non-agricultural use when federal funding is used. Your proposed project is within the city limits of Aneta, North Dakota where FPPA does not apply; therefore, no further action is needed.

If you have additional questions pertaining to FPPA, please contact Wade Bott, State Soil Scientist, NRCS, Bismarck, North Dakota, at (701) 530-2021.

Sincerely,

WADE BOTT

Digitally signed by WADE BOTT
Date: 2023.03.13 16:04:46 -05'00'

WADE D. BOTT
State Soil Scientist

Helping People Help the Land

An Equal Opportunity Provider, Employer, and Lender

Meaghan Dietrich
Environmental Scientist II
2 Carlson Parkway N; Suite 110
Plymouth, MN 55447

June 5, 2023

RE: Solicitation of Views Request - LWCF Property Review

Project: Water and Sewer Improvements, Aneta, ND

Project Number: 22393

County: Nelson

Dear Ms. Dietrich,

Thank you for reaching out for clarification on the LWCF boundary regarding the Water and Sewer Improvements for the City of Aneta, ND.

Potential LWCF Properties Reviewed:

Aneta City Park Playground 38-01277

Aneta Tennis and Ball Courts 38-00729

As part of the LWCF Boundary requirements, a LWCF boundary may not be converted to any use other than outdoor recreation without prior approval from the NDPRD and National Park Service. The entire project site identified in the map attached to this letter is subject to public law 88-578 Section 6(F).

Upon assessing the boundary and project proposal, NDPRD concludes that there will be *no impact* proposed to the boundaries listed above. The City of Aneta can allow for the installation of underground utilities within an LWCF boundary area as long as the ground above the alignment can be and is restored to its pre-existing condition to ensure the continuation of public outdoor recreational use of the area within 12 months after the ground is disturbed (NPS LWCF Manual - Chapter 8 – Page 111 - G. Underground Utility Easements and Rights-of-Way).

For more information about this, please see the resources below:

Land and Water Conservation Fund Manual - https://www.nps.gov/subjects/lwcf/upload/lwcf_manual.pdf

ND Land and Water Conservation Fund Website - <https://www.parkrec.nd.gov/business/grants/land-and-water-conservation-fund>

I want to thank you for your time and effort to ensure the LWCF boundaries will remain dedicated to public outdoor recreation use in perpetuity. If you have any other questions, please do not hesitate to reach out

Sincerely,

Char Langehaug

Char Langehaug
Grants Coordinator

701.328.5364 • 701.220.2820 • parkrec.nd.gov

604 East Boulevard Avenue Dept. 750 | Bismarck, ND 58505

PHONE: 701-328-5357 | FAX: 701-328-5363 | EMAIL: parkrec@nd.gov | WEBSITE: www.parkrec.nd.gov

APPENDIX B
DRAFT FONSI



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
332 MINNESOTA STREET, SUITE E1500
ST. PAUL, MN 55101-1323

Regional Planning and Environment Division North

FINDING OF NO SIGNIFICANT IMPACT

In accordance with the National Environmental Policy Act, the Corps of Engineers, St. Paul District (USACE), has assessed the environmental impacts of the following project:

CITY OF ANETA WATER AND SEWER IMPROVEMENT PROJECT
NELSON COUNTY, NORTH DAKOTA

The purpose of the proposed action is to update the water and sewer systems in the City of Aneta. The project, to be undertaken by the City of Aneta, would consist of removing and replacing 44 blocks of existing cast iron water mains and services and installing new PVC pipes by open trench method and by horizontal directional drilling (trenchless) method of construction. The project also includes rehabilitation of 48 blocks of vitrified clay sewer mains by relining with cured-in-place-pipe (CIPP), which is a trenchless method of construction. The project will also replace water services, gate valves, non-working curb stops, rehabilitate manholes, restore pavement, hydrants, complete miscellaneous concrete repairs, and final site stabilization. Steel casing will need to be bored under the BNSF railroad tracks to allow for installation of the new water main looping which will provide a second connection to the northeast portion of the City. The EA and its attachments are incorporated in this Finding of No Significant Impact (FONSI) by reference.

This FONSI is based on the following factors: the proposed project would have temporary minor adverse impacts to noise, air, wildlife, herbaceous vegetation and soils. Affected resources would be expected to recover from any adverse effects shortly after conclusion of the project. The project would have no effect on federally listed species and would have no effect to historic properties. Overall, the project would have a long-term beneficial effect to the residents of the City of Aneta from increased dependability of the water and sewer systems.

Best management practices (BMPs) and other avoidance and minimization measures will be implemented as detailed in Section 3 of the EA and attachments. No compensatory mitigation is required as part of the project. As part of its notification to the City that environmental compliance is complete, USACE will require the measures included in the EA and attachments to be followed by the City and its contractors.

Public review of the draft EA and FONSI was completed and X comments were received. All applicable environmental laws have been considered and coordination with appropriate agencies and officials has been completed. Pursuant to section 7 of the Endangered Species Act of 1973, as amended, USACE determined that the project will have no effect on federally listed species or their designated critical habitat. Pursuant to section 106 of the National Historic

Preservation Act of 1966, as amended, USACE determined that historic properties would not be affected by the project. SHPO response here. Pursuant to the Clean Water Act of 1972, as amended, no discharge of dredged or fill material into waters of the United States is proposed.

For the reasons above, the proposed action does not constitute a major federal action significantly affecting the quality of the human environment. Therefore, an environmental impact statement will not be prepared.

Date

Jonathan Sobiech
Deputy Chief, Regional Planning
and Environment Division North